

the words, "The Board of Physico Medical Examiners of the State of Texas." (Senator Sebastian in the chair.)

Senator Patterson moved the previous question on the bill and pending amendment, which motion being duly seconded, the main question was ordered, and

The amendment by Senator Goss was lost.

The bill was then passed to a third reading.

On motion of Senator Davidson of DeWitt, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Beaty.	Potter.
Davidson of	Savage.
DeWitt.	Sebastian.
Dibrell.	Stafford.
Harris of Bexar.	Staples.
Harris of Hunt.	Turner.
Johnson.	Turney.
Lipscomb.	Wayland.
Neal.	Wheeler.
Patterson.	Wilson.
Paulus.	Yett.

Nays—2.

Goss.	Grinnan.
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Absent.

Davidson of	Lloyd.
Galveston.	McGee.
Hanger.	

Absent—Excused.

James.	Odell.
Miller.	Swann.

Bill was read third time, and passed by the following vote:

Yeas—23.

Beaty.	Paulus.
Davidson of	Potter.
DeWitt.	Savage.
Dibrell.	Sebastian.
Goss.	Stafford.
Grinnan.	Staples.
Harris of Bexar.	Turner.
Harris of Hunt.	Turney.
Johnson.	Wayland.
Lipscomb.	Wheeler.
Neal.	Wilson.
Patterson.	Yett.

Absent.

Davidson of	Lloyd.
Galveston.	McGee.
Hanger.	

Absent—Excused.

James.	Odell.
Miller.	Swann.

Senator Davidson of DeWitt moved to reconsider the vote by which the bill was passed and lay that motion on the table. Motion to table prevailed.

#### INVITATION FROM SAN MARCOS.

Senator Dibrell presented to the Senate the following invitation:

*To the Senators of the Twenty-seventh Legislature, and Officers and Newspaper Correspondents:*

The citizens of San Marcos extend them an invitation to visit the city of San Marcos, Saturday, the 23rd inst., 1901, as the guests of said city.

(Signed) W. D. Wood,  
Mayor City of San Marcos.

February 19, 1901.

On motion of Senator Johnson, the invitation was accepted.

#### BILLS AND RESOLUTIONS.

By unanimous consent, the following bills were introduced:

By Senator Johnson:

Senate bill No. 205, A bill to be entitled "An Act to establish and maintain kindergarten schools in cities, towns and villages incorporated under the laws of Texas."

Read first time, and referred to Committee on Education.

By Senator Potter:

Senate bill No. 206, A bill to be entitled "An Act to amend Section 4, of Chapter 5, of the Acts of the Special Session of the Twenty-fifth Legislature of the State of Texas, approved June 16, 1897, relating to the fees of sheriffs and constables, providing the amount of such fees, and for the payment of sheriffs and constables' costs."

Read first time, and referred to Committee on Finance.

#### ADJOURNMENT.

On motion of Senator Johnson, the Senate, at 5:30 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

#### TWENTY-SEVENTH DAY.

Senate Chamber,  
Austin, Tex., Wednesday, Feb. 20, 1901.

Senate met pursuant to adjournment. Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the fol-

lowing Senators answering to their names:

Present—27.

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Dibrell.	Stafford.
Goss.	Staples.
Grinnan.	Swann.
Hanger.	Turner.
Harris of Bexar.	Turney.
Harris of Hunt.	Wayland.
Johnson.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.
Neal.	

Absent—1.

McGee.

Absent—Excused.

James. Odell.  
Miller.

Prayer was offered by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Savage, the same was dispensed with.

EXCUSED.

On motion of Senator Potter, Senator Lloyd was excused for non-attendance upon the Senate on yesterday, on account of sickness.

On motion of Senator Potter, Senator Davidson of Galveston was excused for non-attendance upon the Senate on yesterday, on account of important business.

PETITIONS AND MEMORIALS.

Senator Staples presented a memorial from the citizens of Caldwell county, asking that a \$25,000 appropriation for the Texas Volunteer Guard be made.

Read, and referred to Committee on Finance.

Senator Davidson of Galveston presented a petition from the citizens of Precinct No. 5 of Brazoria county, Texas, for an amendment to Article 402 of the Penal Code of Texas, relating to local option.

Read, and referred to Committee on State Affairs.

Senator Beaty presented the following set of resolutions as a memorial:

IN COMMISSIONERS COURT, }  
..... County, Texas, }  
February Term, 1901. }

The following resolutions having been

presented to said court, were unanimously adopted, and a copy ordered to be sent to our Senator and Representatives in the Legislature:

Whereas, There is now pending in the Legislature of the State of Texas a bill providing for the enlargement and extension of the iron industries at the Rusk Penitentiary, and providing for tests and experiments to be made under the direction of an expert of the coals and lignites of the State as a fuel for smelting iron; and,

Whereas, The enlargement and improvement of the appliances for making iron, which are now inadequate and insufficient, will enable the State to utilize, at a profit, a larger force of convicts at the walls, and will save enormous sums of money from going out of the State annually for iron and its products, and giving employment to long term convicts in work that will not compete with any free labor in the State; and,

Whereas, The proper development of such iron industry by the State will demonstrate to the world that iron, the most important metal on earth, can be successfully and profitably manufactured in this State as is done elsewhere under less favorable conditions, and will direct attention to the unlimited resources our great State possesses in iron, coals, lignites and other valuable minerals; and,

Whereas, Lignite no better than that found in inexhaustible quantities all over the State has been successfully used for many years for smelting iron in Germany, as is shown by State Geologist Dumble's report made upon his return from that country, after having been sent there by the State of Texas to investigate and report on same; and,

Whereas, Notwithstanding such report and its great importance to the people of Texas, no effort has been made to test the smelting of our iron ores by the use of lignite or brown coal, and;

Whereas, A successful test of same would solve the problem in Texas, and would at once start up blast furnaces throughout the vast iron districts of the State that would give profitable employment to thousands of our people and add millions in wealth to our State, we therefore most heartily endorse such legislation, and urge upon our Senator and Representatives that they support and labor for the passage of such measure as wise and patriotic, and we ask the co-operation and earnest support of all the citizens of our great State who desire to see as many convicts as possible worked inside the walls, and who favor progress

and the development of the natural resources of the State.

V. O. MIDDLEBROOK,  
County Judge, Presiding.

### BILLS AND RESOLUTIONS.

By Senator Staples:

Senate bill No. 207, A bill to be entitled "An Act providing for an election to determine whether or not a constitutional convention shall be called; to provide for electing delegates to said convention; to provide for the submission of the proposed constitution to a vote of the people, and making appropriation to enable the Governor to carry out the provisions of this act."

Read first time, and referred to Committee on Constitutional Amendments.

By Senator Grinnan:

Senate bill No. 208, A bill to be entitled "An Act to restore the civil and criminal jurisdiction to the county court of McCulloch county; repealing all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Davidson of Galveston:

Senate bill No. 209, A bill to be entitled "An Act to create a more efficient road system for Matagorda county, Texas."

Read first time, and referred to Committee on Counties and County Boundaries.

Senator Paulus offered the following resolution:

Whereas, We recognize agriculture to be the paramount industry of the Southern States, and particularly of Texas, and believe the investigations carried on by the United States Department of Agriculture to be of great value in developing and extending all phases of this industry; and,

Whereas, The products of agriculture furnish over nine hundred million dollars, or more than sixty-two per cent. of the entire export trade of the United States for 1900, and that on agriculture is dependent the prosperity of our railroads, steamships, cities and manufactures; and,

Whereas, Congress is most liberal to every other branch of the government, granting nearly one million dollars per day for pensions, army and navy, more than one million per week for rivers and harbors, eleven million dollars per annum for Indians, but leaving out the weather bureau, the bureau of animal industry and State experiment stations, less than one million, five hundred thou-

sand dollars for agriculture; therefore, be it

Resolved, That the Senate of the State of Texas hereby endorse the work of the Department of Agriculture under the able administration of James Wilson, Secretary of Agriculture; and

Resolved further, That we especially approve the department's work in the treatment of plant diseases and the production of disease resisting crops and the improvement of the same by breeding and selection, the survey and mapping of soil, the introduction of new and valuable seed and plants, and particularly its efforts to develop the tobacco, sugar, rice, tea and fibre industries and the collection and publication of agricultural statistics, particularly on sugar, rice and tobacco in this State; and

Resolved, That we respectfully demand of Congress more liberal appropriations and a reorganization of the department upon the lines of greater and more beneficent results, that the appropriation be increased with due regard to the value and importance of the agricultural interests of the United States, that agriculture, as it contributes most to the prosperity and direct support of the government in revenues, should receive most liberal appropriations and considerations at the hands of Congress; and

Resolved further, That a copy of these resolutions be forwarded to our Representatives and Senators in Congress, and that they be urged to support all measures carrying out these resolutions, and that they be requested to introduce these resolutions into Congress, and to have them spread upon the Record.

Resolution was read second time, and adopted.

The Chair here declared the morning call concluded.

### SENATE BILL NO. 29—FIRST SPECIAL ORDER—ON SECOND READING.

The Chair here laid before the Senate, on its second reading, the first special order,

Senate bill No. 29, A bill to be entitled "An Act to create and establish an industrial institute and college in the State of Texas for the education of white girls in the arts and sciences."

### HOUSE CONCURRENT RESOLUTION NO. 14—SIGNED.

Pending action on Senate bill No. 29, The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

House Concurrent Resolution No. 14,

Requesting the Governor to return to the House Substitute House bill No. 102.

SENATE BILL NO. 144—SECOND  
SPECIAL ORDER—ON SEC-  
OND READING.

Pending second reading of the first special order, Senate bill No. 29,

On motion of Senator Patterson, the first special order of business was suspended and the Senate took up out of its order, the second special order,

Senate bill No. 144, A bill to be entitled "An Act to reorganize the Twenty-seventh, Thirty-third and Thirty-fifth Judicial Districts; to name the counties composing the same; to fix the terms of holding courts therein; to provide for the extension and return of process issued out of said courts, and to repeal all laws in conflict therewith."

The Chair then laid the bill before the Senate, on second reading.

Bill was read second time, and the following committee amendment was adopted.

"Strike out the word 'May,' in Section 1, and insert in lieu thereof the word 'June.'"

Senator Harris of Bexar moved to postpone further consideration of the bill until February 28th, and be made a special order after the morning call.

(Senator Stafford in the chair.)

Motion to postpone was lost, and

The bill was ordered engrossed.

On motion of Senator Patterson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Grinnan.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Swann.
Harris of Hunt.	Turner.
Johnson.	Wayland.
Lipscomb.	Wheeler.
Lloyd.	Wilson.
Neal.	Yett.

Nays—2.

Dibrell.	Goss.
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Absent.

McGee.	Turney.
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Absent—Excused.

James.	Odell.
Miller.	

Bill was read third time, and passed by the following vote:

Yeas—22.

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Goss.	Stafford.
Hanger.	Staples.
Harris of Hunt.	Turner.
Johnson.	Wayland.
Lipscomb.	Wheeler.
Lloyd.	Wilson.
Neal.	Yett.

Nays—1.

Harris of Bexar.

Absent.

Dibrell.	Swann.
Grinnan.	Turney.
McGee.	

Absent—Excused.

James.	Odell.
Miller.	

HOUSE BILL NO. 365—ON SECOND  
READING.

On motion of Senator Sebastian, the special order of business (Senate bill No. 29) was suspended and the Senate took up out of its order

House bill No. 365, A bill to be entitled "An Act to amend Sections 7, 8 and 10 of 'An Act to provide for the location and building of a branch asylum for the care and treatment of the epileptic insane of the State, and to make an appropriation therefor,' passed by the Twenty-sixth Legislature of the State of Texas, and approved February 9, 1899; and to repeal an act of the First Called Session of the Twenty-sixth Legislature on the same subject, approved February 20, 1900, and all other laws in conflict herewith."

The Chair then laid the bill before the Senate, on its second reading.

Bill was read second time and passed to a third reading.

On motion of Senator Sebastian, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Davidson of	Harris of Bexar.
DeWitt.	Harris of Hunt.
Davidson of	Johnson.
Galveston.	Lipscomb.
Goss.	Lloyd.
Grinnan.	Neal.
Hanger.	Patterson.

Paulus.	Turner.
Potter.	Turney.
Savage.	Wayland.
Sebastian.	Wheeler.
Stafford.	Wilson.
Staples.	Yett.

Absent.

Beaty.	McGee.
Dibrell.	Swann.

Absent—Excused.

James.	Odell.
Miller.	

Bill was read third time, and passed by the following vote:

Yeas—22.

Davidson of Galveston.	Potter.
Goss.	Savage.
Grinnan.	Sebastian.
Hanger.	Stafford.
Harris of Bexar.	Staples.
Harris of Hunt.	Turner.
Lipscomb.	Turney.
Lloyd.	Wayland.
Neal.	Wheeler.
Patterson.	Wilson.
Paulus.	Yett.

Absent.

Beaty.	Johnson.
Davidson of DeWitt.	McGee.
Dibrell.	Swann.

Absent—Excused.

James.	Odell.
Miller.	

Senator Sebastian moved to reconsider the vote by which the bill was passed and lay that motion on the table.

Motion to table prevailed.

#### SENATE BILL NO. 72—ON SECOND READING.

On motion of Senator Lipscomb, the special order of business (Senate bill No. 29) was suspended and the Senate took up out of its order

Senate bill No. 72, A bill to be entitled "An Act to provide for a mineral survey of the State of Texas."

The Chair then laid the bill before the Senate, on its second reading.

Bill was read second time, and the following committee substitute was adopted:

#### SUBSTITUTE SENATE BILL NO. 72—ADOPTED.

##### A BILL

##### TO BE ENTITLED

An Act to provide for a mineral survey of the State of Texas, and to make an appropriation therefor.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Board of Regents of the University of Texas are authorized and directed as soon as practicable to have made a mineral survey of the State.

Sec. 2. Said board is authorized to employ for that purpose persons skilled in the science of mineralogy, geology and chemistry, who shall conduct said survey under the direction of the board.

Sec. 3. Said board shall publish annually for free distribution among the people of the State all practical information collected in the prosecution of said survey as the same progresses.

Sec. 4. In connection with the work of said survey provision shall be made for assays, analyses and other scientific examinations of specimens of mineral substances found in the State, and for the collection and distribution of statistics relating to the mineral production of the State, and such assays, analyses and examinations shall be made at the request of any citizen of the State, and a certificate thereof given, and a uniform and reasonable charge shall be fixed by said board for such assays and analyses. It is specially provided, however, that assays and analyses of mineral specimens found upon any of the public lands of the State shall be made free of charge when requested by the Governor or by the Commissioner of the General Land Office.

Sec. 5. In connection with said survey said board shall make provision for instruction in the University of Texas in practical economic and field geology and mineralogy.

Sec. 6. The geological and scientific equipment, collections, specimens and publications now in charge of the Commissioner of Agriculture, Insurance, Statistics and History are hereby transferred to said board, and their removal to the University of Texas is hereby authorized.

Sec. 7. For the purpose of carrying out the provisions of this act the sum of ten thousand dollars per annum for two years, or so much thereof as may be necessary, is hereby appropriated.

Sec. 8. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Sec. 9. Whereas, there is now no provision for a mineral survey of the public lands of the State, and as a result the mineral value of such lands is not known, and said lands are being sold without regard to their mineral value, whereby great loss is resulting to the public free school, asylum and university funds of the State; and whereas, there

is now no provision for the collection and preservation of authentic data concerning the mineral resources of the State; and whereas, no provision now exists whereby reliable official assays, analyses and examinations may be obtained by citizens of Texas, whereby great loss is suffered by the people of the State; therefore, it is declared that an emergency is created and an imperative public necessity exists for the immediate passage of this act, and the constitutional rule requiring bills to be read on three several days be and is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Senator Savage offered the following amendment:

"Amend by striking out Section 6 of the substitute bill."

Amendment was read, and adopted.

(Lieutenant-Governor Browning in the chair.)

Senator Savage moved to reconsider the vote by which the amendment was adopted and lay that motion on the table.

Motion to table was lost.

Motion to reconsider was also lost.

#### HOUSE BILL NO. 4—FREE CONFERENCE COMMITTEE APPOINTED.

Pending engrossment of Substitute Senate bill No. 72.

Senator Lloyd called up

House bill No. 4, A bill to be entitled "An Act to amend Chapter 153 of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature, and amended at the Regular Session of the Twenty-sixth Legislature, entitled 'An Act to prohibit the taking of fish from the fresh waters and streams of this State otherwise than by means of the ordinary hook and line and trot line, and to prohibit the sale or shipping of game fish in this State, and to provide penalties for the violation thereof,' by exempting the county of Cherokee and other counties from the provisions of this act,"

And asked that the House request for a Free Conference Committee be granted.

The Chair then appointed Senators Lloyd, Wheeler and Paulus to act on part of the Senate.

#### SENATE BILL NO. 74 (DOUBLE-HEADER)—RESET.

By unanimous consent, pending business, Substitute Senate bill No. 72, was dispensed with, and

On motion of Senator Harris of Bexar, Senate bill No. 74 (double-header), third

special order for this day, was set as a special order for Thursday, February 28, after the morning call.

#### SENATE BILL NO. 72—PENDING BUSINESS—ON ENGROSSMENT.

The Senate here proceeded with consideration of the pending business, Senate bill No. 72, the question being on engrossment, and

Senator Dibrell offered the following amendment:

"Substitute for Section 8 the following: 'This act shall not be construed to in any manner repeal, modify or affect Articles 2925, 2926, 2927, 2928, 2928a, of Title LII, Chapter 6, of the Revised Civil Statutes of the State of Texas.'"

Amendment was read, and adopted.

#### COMMITTEE REPORTS.

By unanimous consent, the following committee reports were made to the Senate:

Committee Room,

Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Counties and County Boundaries, to whom was referred

House bill No. 164, being a bill to be entitled "An Act amending Articles 883 and 918e, of Chapter 2, Title XXV, Revised Statutes of Texas, 1895, relating to the issuance of bonds by counties and the registration by the Comptroller of bonds issued by counties, cities and towns; providing for the cancellation of old bonds when new bonds are issued in lieu thereof; providing that Articles 903, 904, 905, 906, 907 and 908 shall remain in full force so far as they relate to bonds heretofore issued under Article 902, and all laws of which said article is amendatory; repealing all laws in conflict herewith, particularly Article 902, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Floor report.

LIPSCOMB, Chairman.

Committee Room,

Austin, Texas, February 20, 1901.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 157, being a bill to be

entitled "An Act to change and fix the time for holding the courts in the Fifty-fourth Judicial District of the State of Texas, and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

HANGER, Chairman.

Committee Room,  
Austin, Texas, February 20, 1901.  
*Hon J. N. Browning, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 144, being a bill to be entitled "An Act to reorganize the Twenty-seventh, Twenty-third and Thirty-fifth Judicial Districts; to name the counties composing the same; to fix the terms of holding courts therein; to provide for the extension and return of process issued out of said courts, and to repeal all laws and parts of laws in conflict therewith,"

And find the same correctly engrossed.  
BEATY, Chairman.

#### ADJOURNMENT.

On motion of Senator Davidson of DeWitt, the Senate, at 12:30 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow, leaving Substitute Senate bill No. 72 pending on engrossment.

#### TWENTY-EIGHTH DAY.

Senate Chamber,  
Austin, Tex., Thursday, Feb. 21, 1901.  
Senate met pursuant to adjournment.  
Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present—26.

Beaty.	Neal.
Davidson of	Patterson.
DeWitt.	Paulus.
Davidson of	Potter.
Galveston.	Savage.
Dibrell.	Sebastian.
Goss.	Stafford.
Grinnan.	Staples.
Hanger.	Turner.
Harris of Bexar.	Turney.
Harris of Hunt.	Wayland.
Johnson.	Wheeler.
Lipscomb.	Wilson.
Lloyd.	Yett.

Absent—2.

McGee.

Swann.

Absent—Excused.

James.

Odell.

Miller.

Prayer was offered by the Rev. Dr. Bradfield, of Austin, Texas.

Pending the reading of the Journal of yesterday,

On motion of Senator Johnson, the same was dispensed with.

#### PETITIONS AND MEMORIALS.

Senator Wayland presented a petition from citizens of Brazos county, asking an appropriation of \$25,000 for the Texas Volunteer Guard.

Read, and referred to Committee on Finance.

#### COMMITTEE REPORTS.

The following committee reports were made to the Senate:

Committee Room,  
Austin, Texas, February 15, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 118, being "An Act to authorize the sale and release of all the interest which the State of Texas or the Confederate Home, situated in the city of Austin, or either of them, acquired under the last will of J. E. Allen, deceased, late of Hunt county, Texas, to certain lands situated in said county, Texas,"

And find the same correctly enrolled, and have this day, at 11:30 a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,  
Austin, Texas, February 13, 1901.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 48, being "An Act to amend Section 4 of an act entitled 'An Act to provide for the establishment, maintenance and government of a State normal school to be located at Denton, Texas, and to be known as the North Texas Normal College,' being Chapter LIII of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-sixth Legislature, approved